

Saguache County Board of Commissioners met in regular session  
Tuesday, July 8, 2008 with the following present:

Sam Pace, Chairman  
Mike Spearman, Vice Chairman  
Linda Joseph, Commissioner  
Ben Gibbons, County Attorney  
Wendi Maez, Co-Administrator  
Melinda Myers, Secretary and Clerk to the Board

Meeting called to order by Chairman Pace at 9:04 A.M.

Under Additions or Deletions to the Agenda:

**Spearman moved to approve the agenda. Joseph seconded the motion. The vote was three Ayes.**

Reading and approval of minutes:

**Spearman moved to approve the minutes of July 1, 2008 as amended. Joseph seconded motion. The vote was three Ayes.**

Review of Mail:

1. **Colorado Counties, Inc.** sent a request to the Board of County Commissioners for a \$100.00 donation to the 2008 Colorado Junior Livestock Sale. (7/1/08)
2. **Thomas E. Remington**, sent an invitation to the Board of County Commissioners to participate in the process of developing the 5-Year Big Game Season Structure for the 2010-2014 hunting seasons. The Big Game Structure is approved by the Wildlife Commission I five years intervals and defines hunting seasons for certain animals. Several avenues available for the public to both learn more as well as share ideas and comments. Current information will be available at the Big Game Season Structure website [www.wildlife.state.co.us/bgss/](http://www.wildlife.state.co.us/bgss/). The public can sign up for the season structure mail/email list as well as provide comment through a dedicated email address [wildlife.bgss@state.co.us](mailto:wildlife.bgss@state.co.us). Remington also extended an invitation to the Board of County Commissioners to provide comments as big game hunting seasons can have a significant impact on the constituencies that are served. Questions or comments can be sent to Dave Chadwick C/O Public Involvement Section, 6060 Broadway, Denver, CO 80261 or [dave.chadwick@state.co.us](mailto:dave.chadwick@state.co.us). (7/3/08)
3. **Bob Felmlee** sent a support letter for the Oil and Gas exploration in Saguache County. (7/3/08)

4. **La Puente** sent the summer 2008 Voice of La Puente Flyer. (7/3/08)
5. **Michael Wisdom**, Executive Director for the San Luis Valley Development Resource Group sent a thank you for the commitment and investment the Board of County Commissioners has in the San Luis Valley Feasibility Study. (7/3/08)
6. **Chris West**, Executive Director for the Colorado Cattlemen's Agricultural Land Trust sent an information packet on the Colorado Cattlemen's Agricultural Land Trust. For further questions or to further understand the process for developing an easement please contact the project manager at 1-303-225-8677. (7/3/08)
7. **Lane M. Jungers** sent a letter in regards to the Oil and Gas drilling in Crestone.
8. **The Upper Arkansas Water Conservancy District** sent the tentative agenda for July 10, 2008. (7/7/08)
9. **The Colorado Department of Public Health and Environment** sent Notice of the Third Regular Quarterly Meeting of the Board of Directors of the Colorado River Water Conservation District to be held July 15 and 16 in Glenwood Springs Colorado. (7/7/08)
10. **The State of Colorado Department of Public Health and Environment** sent Notice of Meeting and Agenda Air Quality Control Commission to be held July 17, 2008 in Denver Colorado. (7/7/08)

**Introduction of Guests:** Matie Lakish – Crestone Eagle;; Ceal Smith and Tamar Ellentuck – SLV-WPC; Kitty Broadbent; Andrew Horsman – Land Energy, Inc.; Randy Arredondo; Teresa Bennis – Center Post Dispatch; Lisa Cyriacks and Don Geddes – Planning Commission; Kathryn Van Note

#### **Commissioners' Reports-Updates of Meetings:**

**Sam Pace** reported:

- July 1 - Attended the COGCC hearings and testified for the County.
- July 4 – Attended the Crestone Independence Day Celebration.

**Linda Joseph** reported:

- July 1 - Stopped by the Anniversary open house at the Forest Service offices after the BOCC meeting last week. Andrew Archuleta stated that there is a Wind Power EIS and a Geothermal EIS which are almost finished and suggested the BOCC sign on to be a cooperating agency.
- July 2 - Working with Kenny Bertin, WSB on next steps with regard to getting new emails and lists functional. Kenny has completed the rough draft of the Tourism web pages, and is receiving comments from the Tourism Council to finish them up.
- Joseph attended a couple ScSEED meetings
- July 3 - Joseph and Kim Smoyer met with Rick Wertz of the Saguache County Credit Union, to discuss economic development (ED) initiatives underway. Mr. Wertz has offered to be the point person for further local currency efforts. He is also quite interested in

other ED projects, and will attend the meeting on July 28, regarding downtown revitalization in the Town of Saguache.

- July 4 - Attended festivities in Crestone.
- July 7 - Attended a ScSEED Board meeting in Saguache.

**Mike Spearman** reported:

- July 1 - Stopped by the Anniversary open house at the Forest Service offices after the BOCC meeting last week.
- July 1 - Attended the Crestone Independence Day Celebration and participated in the parade.
- Will be meeting with Mike Wisdom from DRG on July 9 at Idaho Pacific on getting another gas line into Center.

**Lynn Zimmer and Wendi Maez** - CO-Administrators:

- The heating system contract with Steffens Quality Plumbing needs to be signed with the addendum on prohibiting the hiring of undocumented workers. They have requested a change in the payment schedule as they would like to be paid the first half (\$30,000) and the remaining to be billed each month. This will enable the work that is being completed, to be tracked in an easier way. The start date will be July 28<sup>th</sup> and the project will end on October 30<sup>th</sup>. They feel they can have the job complete in 57 days.
- Pete Garcia would like to see if we could use some of the renovation funds to re-do the concrete in the front of the building. Have sent an email to Deb Downs from DOLA to see if that would be ok to use the renovation funds for those repairs. There is about \$75,000 left in the grant funds after the heating system is upgraded.
- The Veterans monthly report was signed.
- Left messages for Larry Ward and Ed Nielsen to see if either one of them would like to be appointed to the Gunnison Water Shed Weed Committee. At this time no response back from either of them. Administration will also contact Dario Archuleta.
- A meeting is scheduled in Alamosa on Monday July 14 at 10:30am to compare the Pueblo County Assessors and Treasurer Computer System and ACS Computer System.

**Joseph moved to approve the Community Services Block Grant with an \$800 carry over. Spearman seconded the motion. The vote was three Ayes.**

- CSBG contracts were signed

**Spearman moved to convene as the Housing Board at 9:48 A.M. Joseph seconded. The vote was three Ayes.**

**Pace moved to adjourn the Housing Board and return to regular meeting at 9:49 A.M. Joseph seconded. The vote was three Ayes.**

- An email was received from Andrew Archuleta, USFS/BLM concerning on entering into Cooperating Agency status on the BLM/DOE Solar Energy Programmatic Environmental Statement and the San Luis Valley Public Lands Center. Board composed a reply letter to send to Sally Wisely to request Cooperating Agency status on local issues.

Break

**Wendi Maez** - Land Use Administrator:

- Received a request from the Crestone/Baca Land Trust to see if the county can take back ownership of the open space lots the CBLT owns. Attorney Gibbons is researching this to see if we can retain ownership of lots if they are zoned as open space.
- A discussion was held concerning the procedure for taking possession of the Right-of-way of the road at the end of Camino Real for the Sand Dunes National Park access. Have a metes and bounds legal description of the ROW.
- Have spoken with a BGPOA board member about the Tony Ross request and they do support the accessory dwelling/additional residence. A survey they conducted a few years ago also showed that the membership was in favor of these. Requested a letter from the POA stating this for our records. Joseph voiced concerns on a ruling on this case without further investigation into whether and how this changes longstanding agreements and efforts to reduce density, and the differences between accessory dwellings and multihousing units. This will be discussed at both Planning Commission meetings, and is a topic to be addressed in the current Master Planning process.
- Pace raised the issue of a Baca resident who put in a homemade culvert in Cottonwood Creek and neighbors have been asking the County to deal with it. Maez stated that the County has no jurisdiction over waterway issues in the unincorporated areas of Saguache County.

**Ceal Smith** - Citizens for San Luis Valley Water Protection Coalition:

- They filed a FOLA request for communications between Lexam, ENSR Corporation and the USFWS about the NEPA study on the proposed drilling. SLV-WPC would like the BOCC to contact both Salazar legislators and voice concerns of the NEPA process and request an investigation of possible industry influence.
- Oil and Gas companies have been sending out letters to solicit surface access from private land owners. The Board would like to make available copies of the Land Owners

Bill of Rights to help keep land owners informed of the issues and what they can negotiate.

- The SLV-WPC would like to see the Oil and Gas regulations have more protections for water included. They would like to submit suggestions to amend the regulations.
- They are looking into a model for “Unique and Irreplaceable” status in Saguache.
- Researching joining the designation effort for the Sangre de Cristo National Heritage Area which is going forward in the south end of the Valley.

**Melinda Myers** – County Clerk

**Spearman moved to approve the Special Event Liquor License for the Crestone Music Festival. Joseph seconded the motion. The vote was three Ayes.**

- Crestone Music Festival Special Liquor License request.

**Ben Gibbons** – Attorney report:

- Saguache County should present a resolution to the CCI Legislative Committee to strike CRS Section 30-10-401 concerning Bonding County employees, unless another county steps up to do it.
- At a future meeting the Board needs to discuss any other issues that they want to bring up to the CCI Legislative Committee.

Adjourned for lunch at 12:02 P.M.

Meeting reconvened at 1:02 P.M.

Adoption of Oil & Gas Regulations and application fee:

**Pace moved to approve Article XXI – Saguache County Oil and Gas Operations regulations as amended to the Saguache County Land Development Code, with the notation that the Form Exhibit A that is referenced in Article 21 be completed by July 15. Joseph seconded the motion. The vote was three Ayes.**

- The Board, with feedback from Attorney Gibbons, LUA Wend Maez, Planning Commission members and public comment – reviewed and revised the regulations page by page.

**Sales Tax Grant – 2008 Cycle Two:**

- Notification will published by July 15, 2008 for Sales Tax Grant applications, which will be due by Sept 5, 2008. They will be reviewed by the Board on Oct 14, 21 and decisions made on Nov 7, 2008.

**Spearman moved to adjourn at 4:16 P.M. Joseph seconded. The vote was three Ayes.**

Respectfully Submitted

Melinda Myers Secretary to the Board of County Commissioners

Minutes Approved July 15, 2008

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Chairman of the Board

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Attest

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Commissioner

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Commissioner